



U.S. Department
of Transportation
**Federal Aviation
Administration**

Memorandum

Subject: **ACTION:** Agency Policy on Substance Abuse Date: OCT 14 1999

From: Administrator Reply to
Attn of:

To: All FAA Employees

The purpose of this memorandum and attached policy statement is to provide information emphasizing the importance of maintaining a drug- and alcohol-free workplace, the consequences imposed if rules and regulations are violated, and the responsibility of management officials to ensure program compliance.

Random drug and alcohol testing continues to apply to all FAA employees occupying safety- or security-sensitive positions, i.e., Testing Designated Position (TDP). Employees in TDP's have duties or responsibilities that directly impact the National Airspace System. TDP's are subject to: random; post accident; return to duty/followup; preemployment/preappointment; and reasonable suspicion testing.

All other FAA non-TDP employees are subject to reasonable suspicion, post accident, and followup testing.

Management officials are responsible for upholding the integrity of the internal Substance Abuse Program. Therefore, it is imperative that supervisors, agency management officials, and designated team leaders review and familiarize themselves with the managerial responsibilities under this program. Supporting program guidance is available from the Office of Aviation Medicine and the Office of Human Resource Management.

Attached is my policy statement outlining the agency's position concerning substance abuse and some of the consequences for violations of this policy. As managers and employees, it is our responsibility to ensure a drug- and alcohol-free workplace.

A handwritten signature in cursive script, reading "Jane F. Garvey".

Jane F. Garvey

POLICY ON SUBSTANCE ABUSE

The FAA is concerned with the decision of any employee to use illegal substances or misuse legal substances. Illegal substances include, but are not limited to, cocaine, marijuana, opiates, amphetamines, and phencyclidine. Legal substances include alcohol and prescription and over-the-counter medications. All of these substances may affect the work performance or conduct of an employee. As an employer with responsibility for aviation safety, the FAA is especially concerned when an employee's actions could affect the safety of the flying public. The confidence of the flying public depends upon absolute trust in the integrity of the National Airspace System. Employees occupying safety- or security-sensitive positions (i.e., testing designated positions (TDP)) who use illegal substances or misuse legal substances will not be permitted to perform safety- or security-sensitive duties unless the FAA determines that the employee is no longer a risk to public safety.

The following violations will result in disciplinary action up to and including removal.

- **On-Duty Use or Possession of Illegal Drugs or Drug Trafficking**. Action shall be initiated to **remove** a TDP employee when it is determined that the employee has engaged in on-duty use or possesses an illegal drug, or is involved in illegal drug trafficking (e.g., sale, manufacture, growth, distribution, or transportation).
- **On-Duty Use of Alcohol**. Action shall be initiated to **remove** a TDP employee when it is determined that the employee has engaged in on-duty use of alcohol.
- **Mandated Alcohol Abstinence Periods**. Action shall be initiated to **remove** a TDP employee who fails to maintain abstinence from alcohol during a required period of abstinence. Alcohol abstinence periods include either preduty or postaccident periods of required abstinence of alcohol. This includes paid or nonpaid breaks during the workday.
- **Refusal to Enter or Complete Counseling or a Substance Abuse Rehabilitation Program Successfully**. Action shall be initiated to **remove** a TDP employee from service who refuses to enter or fails to complete a treatment or rehabilitation program under the FAA's Employee Assistance Program (EAP) successfully.

EXCEPTION: Disciplinary action will not be imposed upon a TDP employee who self refers provided that the employee

agrees to adhere to the required conditions specified in an FAA EAP-approved treatment and rehabilitation plan.

- **Refusal to Comply with Procedures during Collection or Testing.** Action shall be initiated to **remove** a TDP employee who fails to report to the testing site; refuses to provide a urine specimen or an adequate breath sample for alcohol testing; attempts to alter, adulterate, or substitute the specimen provided; or engages in conduct that obstructs the collection or testing process.

Effect on Mission

Disciplinary action for prohibited drug- or alcohol-related misconduct shall be taken under each of the circumstances described above. All disciplinary procedures and actions will be taken pursuant to applicable laws and regulations.

The determination by the agency to initiate action to remove an employee from Federal service on the basis of illegal drug use, misuse of prescription and over-the-counter medications, or alcohol misuse is warranted since such misconduct is inconsistent with the mission of the agency and the nature of the employee's duties.

The importance of ensuring a drug- and alcohol-free workplace cannot be over emphasized. We ask your complete personal and professional commitment in carrying out this mandate and ensuring the public of our dedication of maintaining a drug- and alcohol-free workplace.



Jane F. Garvey
Administrator